

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-15 are pending. Claims 1, 2, 4, 5, 8-11, 14 and 15 stand rejected. Claim 3 is objected to but would be allowable if rewritten in independent form. Claims 6, 7, 12 and 13 have been indicated to be allowable.

Claims 2, 3 and 9 have been cancelled. Claims 1 and 8 have been amended.

Claims 1-2 and 8-9 stand rejected under 35 USC 103(a) as being unpatentable over Zhu (USP no. 5,810,145) in view of Kim (USP no. 5,6212,468).

Applicant respectfully disagrees with, and explicitly traverses, the reason for rejecting the claim. However, in the interest of advancing the prosecution of this matter, claim 1 has been amended to include subject matter recited in dependent claims 2 and 3, which has been indicated to be allowable.

Having amended claim 1, in a manner in conformance to the examiner's indication of allowable subject matter, applicant submits that the reason for the rejection of claim 1 has been overcome and is no longer sustainable.

Applicant respectfully requests that the rejection be withdrawn and claim 1 allowed.

With regard to claim 8, this claim recites a device for practicing the method recited in claim 1, and was rejected for the same reason used in rejecting claim 1. Claim 8 has been amended in a manner similar to that made to claim 1. Hence, the remarks made with regard to claim 1 are relevant to the rejection made to claim 8. For the amendments made to claim 8 and for the remarks made to claim 1, which are reasserted, as if in full, herein, applicant submits that the reason for the rejection of claim 8 has been overcome and can no longer be sustained.

Applicant respectfully requests that the rejection be withdrawn and the claim 8 allowed.

With regard to claims 14 and 15, these claims recite a computer product for practicing the method recited in claim 1, and were rejected for the same reason used in rejecting claim 1. Hence, the remarks made with regard to claim 1 are relevant to the

rejection made to claims 14 and 15. For the amendments made to claim 1 and for the remarks made to claim 1, which are reasserted, as if in full, herein, applicant submits that the reason for the rejection has been overcome and can no longer be sustained.

Applicant respectfully requests that the rejection be withdrawn and the claims allowed.

With regard to claims 2 and 9, these claims have been cancelled. Hence, the reason for the rejection of these claims is no longer relevant.

Claims 4 and 10 stand rejected under 35 USC 103(a) as being unpatentable over Zhu in view of Cheung (USP no. 6,178,2-5).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claim.

Claim 4 recites a method of transcoding a primary signal wherein the primary signal is decoded and applied to a filter and a predicted transformed motion – compensated signal is applied to the encoding unit (see claim element, “wherein the filtering step is a spatial filtering step for receiving the first transformed signal and for producing a filtered transformed signal, said filtered transformed signal and the transformed motion-compensated signal being delivered to the quantizing sub-step.”)

Zhu teaches a system wherein a decoded signal and a motion-compensated signal are applied to a switching device (input former, block 42, figure 9) that may enable either the decoded signal, the motion-compensated signal or a combined decoded/motion-compensated signal be applied to a filter. The filter, thus, may produce a filtered decoded signal, a filtered motion-compensated signal or a filtered combined decoded/motion-compensated signal that is applied to the quantizer. Hence, Zhu fails deliver to the quantizing sub-step a filtered transformed signal and a transformed motion-compensated signal, as is recited in the claims.

Cheung teaches a post-filter process for improving the appearance of a video image. Cheung fails to correct the deficiency in the Zhu reference in applying the motion-compensated signal to the quantizing sub-step.

A claimed invention is *prima facie* obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or

in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

In this case, Zhu teaches a device for applying a decoded signal or a motion-compensated signal or a combined decoded/motion-compensated signal to a filter. There is no motivation to modify Zhu by the teachings of Cheung as such a combination would be contrary to the teachings of Zhu, as Zhu teaches selective, non-concurrent application of the signals to the filter unit. Hence, even if Cheung taught applying the motion-compensated signal to the quantizer, the combined device would teach away from the teaching of Zhu. Hence, one skilled in the art would not be motivated to incorporate the teachings of Cheung to that of Zhu as such a combination would not include all the elements recited in the claim.

The combination of Zhu and Cheung fails to render obvious the invention recited in claim 4, as the combined device fails to recite each and every element claimed.

Applicant believes that in this case that there has been impermissible use of the teachings of the instant application as a blueprint to combine the teachings of Zhu and Cheung without any suggestion or reason for such combination from either reference.

Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to claim 10, , this claim recites a device for practicing the method recited in claim 4, and was rejected for the same reason used in rejecting claim 4. Hence, the remarks made with regard to claim 4 are relevant to the rejection made to claim 10. For the remarks made to claim 4, which are reasserted, as if in full, herein, applicant submits that the reason for the rejection has been overcome and can no longer be sustained.

Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

Claims 5 and 11 stand rejected under 35 USC 103(a) as being unpatentable over Zhu in view of Cheung (USP no. 6,178,2-5) and further in view of Cassereau (USP no. 5,121,191).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claim.

Claim 5 recites subject matter similar to that recited in claim 4, and further including the element that the quantizer includes an inverse filter. As argued with regard to claim 4, this claim was not rendered obvious by the combination of Zhu and Cheung as that there is no motivation to combine the teachings of Zhu and Cheung and even if they were combined the combination would fail to recite all the elements claimed. The combination of Zhu, Cheung and Cassereau similarly fails to render obvious the invention recited in claim 5 as Cassereau fails to correct the deficiency in the combined devise of Zhu and Cheung.

Applicant submits that the at least the above reason the rejections of claim 5 has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard to claim 11, this claim recites a device for practicing the method recited in claim 5, and was rejected for the same reason used in rejecting claim 5. Hence, the remarks made with regard to claim 5 are relevant to the rejection made to claim 11. For the remarks made to claim 5, which are reasserted, as if in full, herein, applicant submits that the reason for the rejection has been overcome and can no longer be sustained.

Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

Having amended claims 1 and 8 to include the subject matter of Claims 2 and 3 and 9 and 3, respectively, applicant submits that claims 1 and 8 reflect the examiner's indication of allowable subject matter. Accordingly, the amendment made should be entered as it raises no new issues and requires only a cursory review by the examiner as the amendment adopts the examiner's suggestion and places the claims in an allowable form.

Applicant thanks the examiner for the indication of allowable subject matter in claim 6, 7, 12 and 13, but for the amendment made to the claims and for the remarks made herein, applicant submits that all the claims are in an allowable form.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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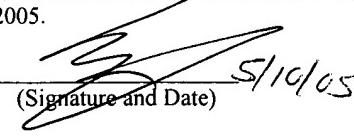


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